

REMARKS

By this Amendment claims 1 and 13 have been replaced by new claims 27 and 28, claims 2, 3 and 12 have been made dependent on new claim 27, claim 10 has been revised, claims 14-16, 22, 23 and 25 have been made dependent on new claim 28, and claims 19 and 24 have been canceled. Entry is requested.

The examiner has rejected claims 1-11, 13-15 and 19 under 35 U.S.C. § 102(b) as being anticipated by EP 0 252 631, and she has rejected claims 2, 6, 7, 16-18, 25 and 26 under 35 U.S.C. § 103(a) as being unpatentable over EP 0 252 631.

The inventors assert that these rejections are incorrect and cannot be applied to the amended claims. EP 0 252 631, which is a counterpart to U.S. Patent No. 4,965,049 (discussed on pages 1 and 2 of this application), discloses that two individual analyzers, each having the dimension of a cupboard can be combined to an analyzing system. As described at column 6, line 18 et seq., there is a lot of work to do for combining modular analyzers 10 and 60 to an analyzing system. Side panels of each single analyzer are to be removed and the analyzers are fastened using a system of spacers 136 and bolts 138 (see Figs. 3A and 3B). Electronic, electrical and fluid interfaces between analyzers 10 and 60 have to be connected separately as described starting at column 6, line 51. That means assembling and disassembling of analyzers 10 and 60 is very complicated time-consuming work.

In contrast to the LILLIG system, the analyzing system of the present invention comprises portable take away single analyzers coupled to a central unit in a charging position. The portable single analyzers can be easily removed from the charging position for use, e.g., in a bedside measuring position. The single analyzers in the charging position will permit the analyzing system to be used as an automatic multi-component analyzer with flexible extension capacity, whose components can easily be exchanged for different ones. It will be possible to remove the single analyzers from the charging position without any effort, and to transfer them in a measuring position, preferably next to the patient, thus employing them for sample analysis in a decentralized manner. The analyzing system will allow the use of diverse single analyzers for measuring different parameters or parameter groups and of a plurality of identical single analyzers for measuring one and the same parameter group, if an increase in sample throughput is desired. The system of LILLIG can not be used in such a flexible manner

According to a first variant of the invention the central unit having no analyzing unit is combined with a plurality (at least two) of portable single analyzers to form a multi-component analyzer (see new claim 27).

According to a second variant of the invention, the central unit is provided with an analyzer (see originally filed claim 13) and can be combined with at least one portable single analyzer to form a multi-component analyzer (see new claim 28).

The examiner's rejections based on EP 0 252 631 should be withdrawn.

The examiner has rejected claims 12 and 16-18 under 35 U.S.C. § 103(a) as being unpatentable over EP 0 252 631 in view of Margrey et al., she has rejected claims 20 and 21 under 35 U.S.C. § 103(a) as being unpatentable over EP 0 252 631 in view of Roden et al. or Kimbrow, and she has rejected claims 22-24 and under 35 U.S.C. § 103(a) as being unpatentable over EP 0 252 631 in view of Markin.

Margrey et al. disclose an interactive multi-station medical specimen analysis system for simultaneously analyzing a medical specimen at remote locations and accessing the results at a central laboratory.

Roden et al. disclose a method for replenishing the inventory of a customer.

Kimbrow disclose an apparatus for monitoring the inventory of a business or hospital.

Markin disclose a method for automatic testing of a laboratory specimen.

None of Margrey et al, Roden et al., Kimbrow or Markin can be said to overcome the deficiencies in EP 0 252 631 in suggesting the now-claimed invention.

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Favorable reevaluation is requested.

Respectfully submitted,

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